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Intellectual Property Law

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1Pw



January 5, 2006

U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

To Whom It May Concern:

Enclosed please find documents listed below that were mailed to our firm; these documents do not appear to belong to us:

10/722,306 Notice of Allowability
09/733,229 Office Action Summary
76-488,201 Trademark Principal
10/286,984 Office Action Summary

Thank you,

Justin Lancaster
U.S. Docketing Clerk
(949)721-5273

San Diego
619-235-8550

San Francisco
415-954-4114

Los Angeles
310-551-3450

Riverside
951-781-9231

San Luis Obispo
805-547-5580

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

United States Patent and Trademark Office

Corrected

Reg. No. 2,924,679

Registered Feb. 8, 2005

OG Date Nov. 15, 2005

**TRADEMARK
PRINCIPAL REGISTER**

FIAT

FIAT S.P.A. (ITALY JOINT STOCK COMPANY)
VIA NIZZA 250
TORINO, ITALY 10126

OWNER OF ITALY REG. NO. 128142,
DATED 5-30-1956, RENEWED AS REG.
NO. 7188166, DATED 7-17-1997, EXPIRES
1-16-2006.

OWNER OF ITALY REG. NO. 128142,
DATED 5-30-1956, EXPIRES 1-16-2006.

OWNER OF ITALY REG. NO. 718816,
DATED 7-17-1997, EXPIRES 11-16-2006.

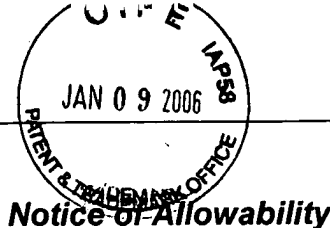
OWNER OF U.S. REG. NO. 160,861.

FOR: CONVERTERS, *ELECTRICAL*
TRANSFORMERS AND PARTS THERE-
OF, STORAGE BATTERIES AND PARTS THERE-
OF, DRY BATTERIES, SWITCH-
BOARDS, ELECTRIC SWITCHES, COM-
MUTATORS AND CIRCUIT BREAKERS,
RHEOSTATS, [ELECTRIC] *ELECTRI-
CAL* FUSES, [TELEPHONE, TELE-
GRAPH,] *TELEPHONES,
TELEGRAPHS,* TRANSMITTERS AND
RECEIVERS FOR RADIO AND TELE-
PHONE WIRELESS SIGNALS, ELECTRIC
WIRES AND CABLES, IN CLASS 9 (U.S.
CLS. 21, 23, 26, 36 AND 38).
SER. NO. 76-488,201, FILED 2-7-2003.



*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Nov. 15, 2005.*

John W. J. Jones



Notice of Allowability	Application No.	Applicant(s)	
	10/772,306	TERAOKA ET AL.	
	Examiner	Art Unit	
	Randy W. Gibson	2841	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 1-7.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>5/13/04</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

The following is an examiner's statement of reasons for allowance: none of the reference of record show a load cell equipped weighing device that has a printing unit which is disposed substantially at the center of the device and a display operation unit that is disposed at the front face of the device and that when the display unit has opened, the printing unit is exposed.

In addition, none of the references of record show a printer disposed between two load cells and that has a housing opening in-between the load cells that allows access to the printer cartridge for replacement.

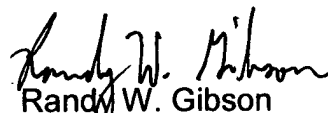
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Randy W. Gibson whose telephone number is (571) 272-2103. The examiner can normally be reached on Mon-Fri., 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamand Cuneo can be reached on (571) 272-1957. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2841

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Randy W. Gibson
Primary Examiner
Art Unit 2841

U.S. Department of Commerce
Patent and Trademark Office

Serial No.
10/772,306

Applicant
Kazuhara TERAOKA et al.

**Group
Not Yet Assigned**

~~EXAMINER
INITIAL~~

DATE _____

CLASS

SUBCLASS

**FILING DATE
IF APPROPRIATE**

DOCUMENT NUMBER

DATE _____

COUNTRY

CLASS

SUBCLASS

TRANSLATION
YES NO

200	0	-	2	4	7	5	0	2	09/12/00	JAPAN
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09/12/00

JAPAN

English Language Abstract of 2000-247502.

EXAMINER

Gibson

DATE CONSIDERED

11/15/2005

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Notice of References Cited

Application/Control No.

10/772,306

Applicant(s)/Patent Under
Reexamination
TERAOKA ET AL.

Examiner

Randy W. Gibson

Art Unit

2841

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-4,351,403	09-1982	Ferguson, Andrew C.	177/2
*	B	US-4,669,029	05-1987	Svenson et al.	361/728
*	C	US-4,693,329	09-1987	Hikita, Michiyasu	177/4
*	D	US-4,630,067	12-1986	Teraoka, Kazuharu	347/180
*	E	US-4,598,780	07-1986	Iwasaki et al.	177/3
*	F	US-4,301,878	11-1981	Soe, Masao	177/5
*	G	US-6,037,548	03-2000	Baitz et al.	177/25.13
*	H	US-6,065,831	05-2000	Kawaura et al.	347/108
*	I	US-4,899,182	02-1990	Inoue, Motoichiro	347/138
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

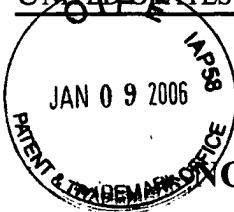
*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
X	U	U.S. patent application publication # 2005/0108111 A1 (Kraniec) 19 May 2005
X	V	U.S. patent application publication # 2005/0156024 A1 (Ichikawa et al) 21 July 2005
X	W	U.S. patent application publication # 2005/0161504 A1 (Ichikawa) 28 July 2005
X	X	U.S. patent application publication # 2005/0190533 A1 (Hultzman et al.) 1 September 2005

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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NOTICE OF ALLOWANCE AND FEE(S) DUE

20995 7590 11/21/2005

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER

GIBSON, RANDY W

ART UNIT

PAPER NUMBER

2841

DATE MAILED: 11/21/2005

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,306	02/06/2004	Kazuharu Teraoka	P24882	7416

TITLE OF INVENTION: MEASURING AND PRINTING DEVICE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	02/21/2006

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify the SMALL ENTITY status.

If the SMALL ENTITY is shown as NO:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

A. Pay TOTAL FEE(S) DUE shown above, or

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 or Fax (571) 273-2885



INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence, including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

20995 7590 11/21/2005

KNOBBE MARTENS OLSON & BEAR LLP
 2040 MAIN STREET
 FOURTEENTH FLOOR
 IRVINE, CA 92614

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,306	02/06/2004	Kazuharu Teraoka	P24882	7416

TITLE OF INVENTION: MEASURING AND PRINTING DEVICE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	02/21/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
GIBSON, RANDY W	2841	177-002000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____
 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

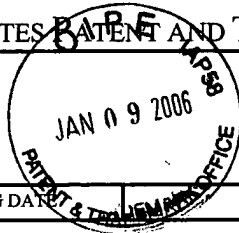
This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,306	02/06/2004	Kazuharu Teraoka	P24882	7416

20995 7590 11/21/2005

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER

GIBSON, RANDY W

ART UNIT

PAPER NUMBER

2841

DATE MAILED: 11/21/2005

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 229 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 229 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571) 272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.



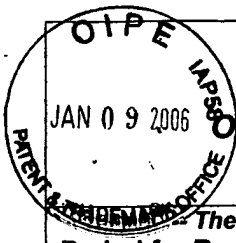
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/286,984	10/30/2002	Ho-sang Park	DSPAT2.001 AUS	3600
20995	7590	12/09/2005		
KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614				
			EXAMINER SENF, BEHROOZ M	
			ART UNIT 2613	PAPER NUMBER

DATE MAILED: 12/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



Office Action Summary

Application No.	Applicant(s)	
10/286,984	PARK, HO-SANG	
Examiner	Art Unit	
Behrooz Senfi	2613	

The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-78 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-78 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species of the claimed invention:

Claims 1 – 78 are directed to the following species:

Species 1: figures 1 – 2.

Species 2: figure 3.

Species 3: figure 4.

Species 4: figure 5.

Species 5: figure 6.

Species 6: figure 8.

Species 7: figure 9.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no specific claim in the set of claims 1 – 78 has been considered to be generic to the distinct embodiments.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Contact

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Behrooz Senfi** whose telephone number is **(571) 272-7339**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mehrdad Dastouri** can be reached on **(571) 272-7418**.

Hand-delivered responses should be brought to Randolph Building, 401 Dulany Street, Alexandria, Va. 22314.

Art Unit: 2613

Any inquiry of a general nature or relative to the status of the application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is **(571) 272-6000**,

Or faxed to:

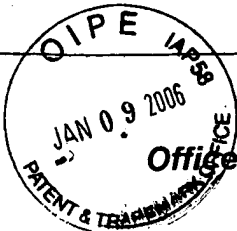
(571) 273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

B.M.S. 

12/6/2005


VU LE
PRIMARY EXAMINER



Office Action Summary

Application No.

09/733,229

Applicant(s)

SOLOFF ET AL.

Examiner

James Sheleheda

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2005.
2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 8-17, 20-30 and 33-37 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-5, 8-17, 20-30 and 33-37 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/23/05
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-5, 9, 12, 14-17, 21, 24, 25 and 27-30 and 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang (6,675,385) (of record) in view of Allport (6,097,441).

As to claim 1, Wang discloses a DSS terrestrial-satellite communications network (a satellite network which transmits digital MPEG data; column 4, lines 19-23 and column 4, lines 62-66) for delivering information (EPG data; column 4, lines 31-33) to a viewing device (Fig. 1; TV receiver, 34) without the need for a user to possess additional communications hardware (wherein the user simply requires a set top and display; column 3, lines 47-55), the network comprising:

means for selecting, acquiring (EPG Manager, 14; column 3, lines 56-67) and editing (formatting by MPEG streamer, 18; column 4, lines 9-13) content specific information (EPG information for programming content; Fig. 4; column 6, lines 5-16);

a first network computer (Fig. 1; EPG database, 10 inherently contained in a computer) having memory storage means for storing said information (storing the EPG data; column 3, lines 37-41);

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a central network computer (Fig. 1; a computer in headend, 16; column 3, lines 42-46);

means for transmitting the content specific information from said first network computer to said central network computer (column 3, lines 56-61);

one or more communication satellites (direct broadcast satellite; column 4, lines 62-66) for receiving and transmitting broadcast signals (column 4, lines 62-66), where the broadcast signals are associated with discrete broadcast channels (Fig. 2; channels 38-38N and 40-40N; column 5, lines 5-30);

uplink means coupling the content specific information and discrete broadcast channels from said central network computer to said satellites (wherein an uplink means is inherently present for signals from the headend (16) to reach the satellite; Fig. 4; column 4, line 62-66 and column 5, lines 5-30), wherein said central network computer includes a means to couple said content specific information to the discrete broadcast channels (EPG data being transmitted over the broadcast channels; column 5, lines 5-62), where said specific content information has similar subject matter content as the coupled discrete broadcast channel (wherein the EPG has programming information for the broadcast channels; column 5, line 46-column 6, line 35);

downlink means (wherein a downlink means is inherently present for signals from the satellite to reach the set top (24); Fig. 4; column 4, line 62-66 and column 5, lines 5-29) coupling said broadcast channels and specific content information from said satellites to a receiving antenna (wherein an antenna is inherently present for the set

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top to receive transmitted satellite signals) situated within said satellite's coverage area (the antenna must be situated in the coverage area for the signal to be received);

an IRD (set top, 24) connected to said receiving antenna (the set top must be connected to the antenna to receive the satellite signals); and

a means residing in the IRD that decouples the specific content information from each respective discrete broadcast channel (separating the guide information from the MPEG stream; column 7, lines 66-column 8, line 21) and directs the broadcast channel to a passive viewing device (column 7, lines 50-54). While Wang discloses displaying content specific information related to the broadcast (EPG data indicating the broadcast programming; column 6, lines 17-48) he fails to specifically disclose directing the information to an interactive viewing device, a serial connection between said interactive viewing device and the IRD, a low speed-data port on the interactive viewing device to receiving the information via the serial connection, said interactive viewing device containing means for displaying the information on said interactive viewing device, and a memory storage device situated within said interactive viewing device.

In an analogous art, Allport discloses a television receiving system (Fig. 2) wherein a base station (75) will receive broadcast television signals with additional information (include program listing information; column 7, line 59-column 8, line 13) and separate out the additional information for transmission to an interactive remote control (column 9, lines 53-65 and column 12, lines 11-44) which can store the information in memory (Fig. 4, 340; column 15, lines 36-47) for later display on the remote control (column 8, lines 1-13 and column 12, lines 11-44) through a infrared port

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connection (column 10, lines 9-35) for the typical benefit of allowing additional information to be received and displayed on the remote control without interfering with the program playing on the TV (column 8, lines 5-25).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Wang's system to include directing the information to an interactive viewing device, a serial connection between said interactive viewing device and the IRD, a low speed-data port on the interactive viewing device to receiving the information via the serial connection, said interactive viewing device containing means for displaying the information on said interactive viewing device, and a memory storage device situated within said interactive viewing device, as taught by Allport, for the typical benefit of allowing additional information to be received and displayed on the remote control without interfering with the program playing on the TV.

As to claim 12, Wang discloses a DSS terrestrial-satellite internet communications network (a satellite network which transmits digital MPEG data; column 4, lines 19-23 and column 4, lines 62-66) for delivering content specific HTML-formatted information (EPG data; column 4, lines 31-33) retrieved from the Internet (column 4, lines 5-8) to a viewing device (Fig. 1; TV receiver, 34) without the need for a user to possess additional communications hardware (wherein the user simply requires a set top and display; column 3, lines 47-55), the network comprising:

means for selecting, acquiring (EPG Manager, 14; column 3, lines 56-67) and editing (formatting by MPEG streamer, 18; column 4, lines 9-13) content specific HTML

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formatted information (EPG information for programming content; Fig. 4; column 6, lines 5-16) retrieved from the Internet (column 4, lines 5-8);

a first network computer (Fig. 1; a computer storing the EPG webpages on the Internet, 11) having memory storage means for storing said content specific information (wherein the webpages are inherently stored on the Internet computer; column 3, lines 37-41);

a central network computer (Fig. 1; a computer in headend, 16; column 3, lines 42-46);

means for transmitting the content specific information from said first network computer to said central network computer (column 3, lines 56-61);

one or more communication satellites (direct broadcast satellite; column 4, lines 62-66) for receiving and transmitting broadcast signals (column 4, lines 62-66), where the broadcast signals are associated with discrete broadcast channels (Fig. 2; channels 38-38N and 40-40N; column 5, lines 5-30);

uplink means coupling the content specific information and discrete broadcast channels from said central network computer to said satellites (wherein an uplink means is inherently present for signals from the headend (16) to reach the satellite; Fig. 4; column 4, line 62-66 and column 5, lines 5-30), wherein said central network computer includes a means to couple said content specific information to the discrete broadcast channels (EPG data being transmitted over the broadcast channels; column 5, lines 5-62), where said specific content information has similar subject matter content as the

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coupled discrete broadcast channel (wherein the EPG has programming information for the broadcast channels; column 5, line 46-column 6, line 35);

downlink means (wherein a downlink means is inherently present for signals from the satellite to reach the set top (24); Fig. 4; column 4, line 62-66 and column 5, lines 5-29) coupling said broadcast channels and specific content information from said satellites to a receiving antenna (wherein an antenna is inherently present for the set top to receive transmitted satellite signals) situated within said satellite's coverage area (the antenna must be situated in the coverage area for the signal to be received);

an IRD (set top, 24) connected to said receiving antenna (the set top must be connected to the antenna to receive the satellite signals); and

a means residing in the IRD that decouples the specific content information from each respective discrete broadcast channel (separating the guide information from the MPEG stream; column 7, lines 66-column 8, line 21) and directs the broadcast channel to a passive viewing device (column 7, lines 50-54). While Wang discloses displaying content specific information related to the broadcast (EPG data indicating the broadcast programming; column 6, lines 17-48), he fails to specifically disclose directing the information to an interactive viewing device, a serial connection between said interactive viewing device and the IRD, a low speed-data port on the interactive viewing device to receiving the information via the serial connection, said interactive viewing device containing means for displaying the information on said interactive viewing device, and a memory storage device situated within said interactive viewing device.

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In an analogous art, Allport discloses a television receiving system (Fig. 2) wherein a base station (75) will receive broadcast television signals with additional information (include program listing information; column 7, line 59-column 8, line 13) and separate out the additional information for transmission to an interactive remote control (column 9, lines 53-65 and column 12, lines 11-44) which can store the information in memory (Fig. 4, 340; column 15, lines 36-47) for later display on the remote control (column 8, lines 1-13 and column 12, lines 11-44) through an infrared port connection (column 10, lines 9-35) for the typical benefit of allowing additional information to be received and displayed on the remote control without interfering with the program playing on the TV (column 8, lines 5-25).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Wang's system to include directing the information to an interactive viewing device, a serial connection between said interactive viewing device and the IRD, a low speed-data port on the interactive viewing device to receiving the information via the serial connection, said interactive viewing device containing means for displaying the information on said interactive viewing device, and a memory storage device situated within said interactive viewing device, as taught by Allport, for the typical benefit of allowing additional information to be received and displayed on the remote control without interfering with the program playing on the TV.

As to claim 24, while Wang discloses an IRD (set top, 24) incorporated into a DSS terrestrial-satellite communications network (a satellite network which transmits

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digital MPEG data; column 4, lines 19-23 and column 4, lines 62-66), said IRD capable of transmitting received satellite-broadcast signals in discrete broadcast channels (EPG data being transmitted over the broadcast channels; Fig. 2; channels 38-38N and 40-40N; column 5, lines 5-62) including content specific information (EPG information for programming content; Fig. 4; column 6, lines 5-16) said IRD comprising: a first port to provide linking means to a television (Fig. 1; TV receiver, 34), he fails to specifically disclose a second port to provide linking means to an interactive viewing device, wherein said linking means is a low-speed serial data port capable of transferring the content specific information via a serial connection to said interactive viewing device without the need for a user to possess a dedicated telephone line or modem and wherein the connector between the viewing device and IRD is a hardwired RS-232 serial connector.

In an analogous art, Allport discloses a television receiving system (Fig. 2) wherein a base station (75) will receive broadcast television signals with additional information (include program listing information; column 7, line 59-column 8, line 13) and separate out the additional information for transmission to an interactive remote control (column 9, lines 53-65 and column 12, lines 11-44) which can store the information in memory (Fig. 4, 340; column 15, lines 36-47) for later display on the remote control (column 8, lines 1-13 and column 12, lines 11-44) through a infrared port connection (column 10, lines 9-35) for the typical benefit of allowing additional information to be received and displayed on the remote control without interfering with the program playing on the TV (column 8, lines 5-25).

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It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Wang's system to include a second port to provide linking means to an interactive viewing device, wherein said linking means is a low-speed serial data port capable of transferring the content specific information via a serial connection to said interactive viewing device without the need for a user to possess a dedicated telephone line or modem and wherein the connector between the viewing device and IRD is a hardwired RS-232 serial connector, as taught by Allport, for the typical benefit of allowing additional information to be received and displayed on the remote control without interfering with the program playing on the TV.

As to claim 28, Wang discloses a method for delivering information (EPG data; column 4, lines 31-33) to a viewing device (Fig. 1; TV receiver, 34) without the need for a user to possess additional communications hardware (wherein the user simply requires a set top and display; column 3, lines 47-55) comprising the steps of:

selecting, retrieving and storing content specific information on a first network computer (wherein EPG information is selected, retrieved and stored in EPG database, 10; column 3, lines 36-41);

transferring said content specific information to a central network computer (headend, 16) where said content specific information is stored (in a local database in headend, 16; column 3, lines 56-61);

coupling said content specific information to discrete broadcast channels (EPG data being transmitted over the broadcast channels; column 5, lines 5-62), where said

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specific content information has similar subject matter content as the coupled discrete broadcast channel (wherein the EPG has programming information for the broadcast channels; column 5, line 46-column 6, line 35);

uplinking said coupled content specific information and discrete broadcast channels from said central network computer to one or more satellites in the form of a broadcast signals (wherein the information from headend 16 is inherently uplinked to a satellite for DBS; column 4, line 62-66);

downlinking said broadcast signals from said satellites to a receiving antenna connected to an IRD (wherein set top, 24 inherently has an antenna to which signals are downlinked for DBS to function correctly; column 4, line 62-66);

decoupling said content specific information from discrete broadcast channels via the IRD (separating the guide information from the MPEG stream; column 7, lines 66-column 8, line 21), he fails to specifically disclose transmitting said content specific information from said IRD to said interactive viewing device, using a serial connection to serially connect said interactive viewing device to said IRD via a low speed serial data port, said interactive viewing device further including a memory storage device, displaying said content specific information on said interactive viewing device via a displaying means.

In an analogous art, Allport discloses a television receiving system (Fig. 2) wherein a base station (75) will receive broadcast television signals with additional information (include program listing information; column 7, line 59-column 8, line 13) and separate out the additional information for transmission to an interactive remove

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control (column 9, lines 53-65 and column 12, lines 11-44) which can store the information in memory (Fig. 4, 340; column 15, lines 36-47) for later display on the remote control (column 8, lines 1-13 and column 12, lines 11-44) through a infrared port connection (column 10, lines 9-35) for the typical benefit of allowing additional information to be received and displayed on the remote control without interfering with the program playing on the TV (column 8, lines 5-25).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Wang's system to include a second port to provide linking means to an interactive viewing device, wherein said linking means is a low-speed serial data port capable of transferring the content specific information via a serial connection to said interactive viewing device without the need for a user to possess a dedicated telephone line or modem and wherein the connector between the viewing device and IRD is a hardwired RS-232 serial connector, as taught by Allport, for the typical benefit of allowing additional information to be received and displayed on the remote control without interfering with the program playing on the TV.

As to claims 3, 14 and 27, while Wang and Allport disclose wherein the interactive viewing device is a handheld device (see Allport at Fig. 1; column 6, lines 2-7), they fail to specifically disclose a PDA.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to utilize a PDA, which are widely known and utilized as a convenient portable device, to receive and display data for the typical benefit of

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allowing a user to utilize a well-known and widely utilized portable device, such as a PDA, as an interactive viewing device.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Wang and Allport's system to include a PDA for the typical benefit of allowing a user to utilize a well-known and widely utilized portable device as an interactive viewing device.

As to claims 4, 15 and 29, Wang and Allport disclose automatically storing said content specific information in said interactive viewing device's storage memory (see Allport at column 9, lines 53-65 and column 12, lines 11-18).

As to claims 5, 17, 25 and 30, Wang and Allport disclose wherein said broadcast signals further comprises audio and video DSS signals (See Wang at Fig. 3; column 7, lines 31-37) bundled with the content specific information (See Wang at Fig. 3; column 7, lines 31-42), said audio and video signals corresponding to a selected television channel (see Wang at column 7, lines 50-54), and wherein said specific content information has similar subject matter content as the coupled discrete broadcast channel (wherein the EPG has programming information for the broadcast channels; see Wang at column 5, line 46-column 6, line 35).

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As to claims 9, 21 and 35, Wang and Allport disclose wherein the content specific information comprises at least television program guide data (see Wang at column 4, lines 24-33).

As to claim 33, Wang and Allport disclose wherein the content specific information comprises HTML formatted data retrieved from the Internet (see Wang at column 4, lines 5-8).

As to claims 16 and 34, Wang and Allport disclose wherein said means for displaying said information comprises a browser (see Wang at column 3, lines 51-55).

As to claim 36, Wang and Allport disclose wherein the content specific information comprises at least television program guide data (see Wang at column 3, lines 62-67) and HTML-formatted information retrieved from the internet (see Wang at column 4, lines 5-8).

3. Claims 8, 10, 11, 20, 22, 23 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang and Allport as applied to claims 9, 21 and 36 above, and further in view of Stiles (US2002/0069416) (of record).

As to claim 8, while Wang and Allport disclose a first computer (see Wang at Fig. 1; EPG Database, 10; column 3, lines 37-41), they fail to specifically disclose a second

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network computer for processing, formatting and storing said content specific information.

In an analogous art, Stiles discloses a satellite broadcast system (Fig. 1; paragraph 17) wherein a network operations center (30) will assemble and broadcast programming (paragraph 17, lines 8-16) to a first computer (Fig. 1; NOB, 26 comprising a computer to control processing; paragraph 32, lines 11-16; paragraph 17, lines 5-16 and paragraph 19, lines 1-5) and then a second computer (NOB, 71 comprising a computer to control processing; paragraph 32, lines 11-16; paragraph 22, lines 1-4 and lines 11-17) and wherein each computer will then prepare the information (Fig. 2; paragraph 28 and paragraph 33) for distribution to users (Fig. 1, VSAT users, 72; paragraph 22, lines 11-17) for the typical benefit of allowing local computers to process the programming for local audiences (paragraphs 25 and 26).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Wang and Allport's system to include a second network computer for processing, formatting and storing said content specific information, as taught by Stiles, for the typical benefit of enabling EPG information in a television system to be tailored to be more relevant to local viewers.

As to claim 20, while Wang and Allport disclose a first computer (Fig. 1; a computer storing the EPG webpages on the Internet, 11; column 4, lines 5-8) they fail to specifically disclose a second network computer for processing, formatting and storing said content specific information.

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In an analogous art, Stiles discloses a satellite broadcast system (Fig. 1; paragraph 17) wherein a network operations center (30) will assemble and broadcast programming (paragraph 17, lines 8-16) to a first computer (Fig. 1; NOB, 26 comprising a computer to control processing; Fig. 2, paragraph 32, lines 11-16; paragraph 17, lines 5-16 and paragraph 19, lines 1-5) and then a second computer (NOB, 71 comprising a computer to control processing; Fig. 2, paragraph 32, lines 11-16; paragraph 22, lines 1-4 and lines 11-17) and wherein each computer will then prepare the information (Fig. 2; paragraph 28 and paragraph 33) for distribution to users (Fig. 1, VSAT users, 72; paragraph 22, lines 11-17) for the typical benefit of allowing local computers to process the programming for local audiences (paragraphs 25 and 26).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Wang and Allport's system to include a second network computer for processing, formatting and storing said content specific information, as taught by Stiles, for the typical benefit of enabling EPG information in a television system to be tailored to be more relevant to local viewers.

As to claims 10 and 37, while Wang and Allport disclose a wherein said program guide data is compiled at a repository broadcast center (Fig. 1; EPG Database, 10; column 3, lines 37-41) which is the first computer (see claims 1 and 28), they fail to specifically disclose wherein the repository broadcast center is at a location remote from the first computer and transmitted to said first network computer.

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In an analogous art, Stiles discloses a satellite broadcast system (Fig. 1; paragraph 17) wherein a network operations center (30) will assemble and broadcast programming (paragraph 17, lines 8-16) to a first computer (Fig. 1; NOB, 26 comprising a computer to control processing; Fig. 2, paragraph 32, lines 11-16; paragraph 17, lines 5-16 and paragraph 19, lines 1-5) which will then transmit to a second computer (NOB, 71 comprising a computer to control processing; Fig. 2, paragraph 32, lines 11-16; paragraph 22, lines 1-4 and lines 11-17) for distribution to users (Fig. 1, VSAT users, 72; paragraph 22, lines 11-17) for the typical benefit of allowing a single source to distribute content all over the world (paragraph 17, lines 12-16) with local computers to process the programming for a local audience (paragraphs 25 and 26).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Wang and Allport's system to include wherein the repository broadcast center is at a location remote from the first computer and transmitted to said first network computer, as taught by Stiles, for the typical benefit of allowing a single source to distribute programming to a wide an audience and still tailor the programming to local viewers.

As to claim 22, while Wang and Allport disclose a wherein said program guide data is compiled at a repository broadcast center (Fig. 1; a computer storing the EPG webpages on the Internet, 11; column 4, lines 5-8) which is the first computer (see claim 12) they fail to specifically disclose wherein the repository broadcast center is at a location remote from the first computer and transmitted to said first network computer.

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In an analogous art, Stiles discloses a satellite broadcast system (Fig. 1; paragraph 17) wherein a network operations center (30) will assemble and broadcast programming (paragraph 17, lines 8-16) to a first computer (Fig. 1; NOB, 26 comprising a computer to control processing; Fig. 2, paragraph 32, lines 11-16; paragraph 17, lines 5-16 and paragraph 19, lines 1-5) which will then transmit to a second computer (NOB, 71 comprising a computer to control processing; Fig. 2, paragraph 32, lines 11-16ed; paragraph 22, lines 1-4 and lines 11-17) for distribution to users (Fig. 1, VSAT users, 72; paragraph 22, lines 11-17) for the typical benefit of allowing a single source to distribute content all over the world (paragraph 17, lines 12-16) with local computers to process the programming for a local audience (paragraphs 25 and 26).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Wang and Allport's system to include wherein the repository broadcast center is at a location remote from the first computer and transmitted to said first network computer, as taught by Stiles, for the typical benefit of allowing a single source to distribute programming to a wide an audience and still tailor the programming to local viewers.

As to claims 11 and 23, Wang, Allport and Stiles disclose wherein said program guide data comprises television program information for an entire channel (simulcast data corresponding to the current channel; see Wang at column 7, lines 46-49) over the course of a predetermined number of hours (wherein the EPG data is for a predetermined number of days; see Wang at column 7, lines 1-7).

4. Claims 2, 13 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang, Shintani and Fang as applied to claims 1, 12 and 24 above, and further in view of Zdepski et al. (Zdepski) (6,606,746) (of record).

As to claims 2, 13 and 26, while Wang and Allport disclose wherein the viewing device is a PDA (see Shintani at column 3, lines 21-23), they fail to specifically disclose wherein the viewing device is a personal computer.

In an analogous art, Zdepski discloses a broadcast satellite system (Fig. 1; column 4, lines 46-50) wherein an interactive decoder (140) will output received signals (column 6, lines 25-27) for display on any of a plurality of devices (such as a personal computer; column 6, lines 25-27 and lines 4-7). This provides the typical benefit of allowing a user to utilize a commonly available home computer for display.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Wang and Allport's system to include wherein the viewing device is a personal computer, as taught by Zdepski, for the typical benefit of allowing a user to utilize any commonly available viewing device, such as a home computer, to display received television programming information.

Response to Arguments

5. Applicant's arguments filed 10/21/05 have been fully considered but they are not persuasive.

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a. On page 13, of applicant's response, applicant argues that Wang does not disclose bundling content specific information to discrete broadcast channels, where the content specific information and broadcast channel are coupled based upon the same or similar subject matter.

i. Wang specifically discloses bundling EPG information into broadcast channels (transmitted over the regular broadcast video channels; Fig. 4; column 7, lines 31-49). EPG data is clearly content specific information, as the contents of the EPG are based upon, and list, the program content being broadcast (column 6, lines 5-48). Further, as the EPG information is listing information concerning the program content being broadcast, it is clearly similar to the subject matter of the broadcast (column 6, lines 5-48).

ii. The current claims simply require that the content specific information has similar subject matter to the broadcast channels. There is no requirement that the coupling be specifically *based* upon the fact that the subject matters are similar.

b. In regards to applicant's arguments on page 14-16, see (a) and the rejections above.

Conclusion

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6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as-set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

7. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Sheleheda whose telephone number is (571) 272-7357. The examiner can normally be reached on 9:00-5:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James Sheleheda
Patent Examiner
Art Unit 2617

JS


CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600



09/23/05 13:12 FAX 310 984 0842

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)	Complete if Known	
	Application Number	09/733,229
	Filing Date	December 7, 2000
	First Named Inventor	Steven Soloff
	Art Unit	2817
	Examiner Name	James R. Sheleheda
Sheet 1 of 1	Attorney Docket Number	PD-200154B

U.S. PATENT DOCUMENTS

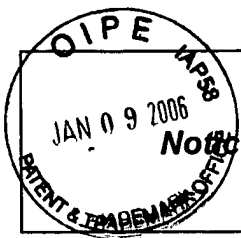
Examiner Initials*	Cite No.	Document Number Number-Kind Code	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-6,308,081	10-2001	Kolmonen, Juha	
		US-6,788,710	09-2004	Knutson et al.	
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		US-2001/0036198	11-2001	Arsenault et al.	
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Examiner Initials*	Cite No.	Foreign Patent Document Country Code-Number-Kind Code	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Notice of References Cited

Application/Control No.

09/733,229

Applicant(s)/Patent Under
Reexamination
SOLOFF ET AL.

Examiner

James Sheleheda

Art Unit

2617

Page 1 of 1

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*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,097,441 A	08-2000	Allport, David E.	348/552
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
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09/881,142	06/14/2001	Paul M. Thomsen	HITHOME.001A	8108
20995	7590	11/16/2005	EXAMINER	
KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614			SHELEHEDA, JAMES R	
			ART UNIT	PAPER NUMBER
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